

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

**IN RE PAYMENT CARD INTERCHANGE
FEE AND MERCHANT DISCOUNT
ANTITRUST LITIGATION**

This Document Relates to:

The Home Depot, Inc., et al. v. Visa Inc., et al., No. 16-cv-05507 (E.D.N.Y.) (MKB) (VMS).

No. 05-md-01720 (MKB) (VMS)

**PLAINTIFFS' STIPULATION AND
ORDER OF DISMISSAL WITH
PREJUDICE OF ALL CLAIMS
AGAINST THE VISA DEFENDANTS**

WHEREAS plaintiffs The Home Depot, Inc. and Home Depot U.S.A., Inc. ("Plaintiffs"), which are all of the plaintiffs in the action *The Home Depot, Inc., et al. v. Visa Inc., et al.*, No. 16-cv-05507 (E.D.N.Y.) ("The Home Depot Action"), which action is included in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, No. 1:05-md-01720 (E.D.N.Y.), having fully settled all of their claims against some of the defendants in *The Home Depot Action* — i.e., Visa Inc., Visa U.S.A. Inc., and Visa International Service Association (collectively, the "Visa Defendants") — by and through their undersigned counsel, hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a), that the Plaintiffs' claims and action against the Visa Defendants be dismissed with prejudice, and with each side to bear its own attorneys' fees and costs, provided that the Court retains continuing and exclusive jurisdiction to resolve any matter arising out of or relating to the parties' settlement agreement or this Stipulation and Order of Dismissal, or their applicability to any suit, action, proceeding, or dispute.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that (1) the Court will retain continuing and exclusive jurisdiction to resolve any matter arising out of or relating to the parties' settlement agreement or this Stipulation and Order of Dismissal, or their

applicability to any suit, action, proceeding, or dispute, and (2) the claims and action of the Plaintiffs against the Visa Defendants be and hereby are dismissed with prejudice, with each side to bear its own attorneys' fees and costs.

Dated: April 13, 2023.

QUINN EMANUEL URQUHART & SULLIVAN, LLP



By: _____

Steig D. Olson
51 Madison Avenue, 22nd Floor
New York, NY 10010
(212) 849-7000
steigolson@quinnmanuel.com

Alicia Cobb
1109 First Avenue, Suite 210
Seattle, WA 98101
(206) 905-7000
aliciacobbs@quinnmanuel.com

BONDURANT MIXSON & ELMORE, LLP

Frank M. Lowrey IV
Ronan P. Doherty
3900 One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, GA 30309
(404) 881-4100
lowrey@bmelaw.com
doherty@bmelaw.com

Attorneys for Plaintiffs

**ARNOLD & PORTER KAYE SCHOLER
LLP**

By: Robert C. Mason

Robert C. Mason
250 West 55th Street
New York, NY 10019-9710
(212) 836-8000
robert.mason@arnoldporter.com

Robert J. Vizas
Three Embarcadero Center, 10th Floor
San Francisco, CA 94111-4024
(415) 471-3100
robert.vizas@arnoldporter.com

Anne P. Davis
Matthew A. Eisenstein
601 Massachusetts Avenue, NW
Washington, DC 20001-3743
(202) 942-5000
anne.davis@arnoldporter.com
matthew.eisenstein@arnoldporter.com

HOLWELL SHUSTER & GOLDBERG LLP

Michael S. Shuster
Demian A. Ordway
Blair E. Kaminsky
425 Lexington Avenue
New York, NY 10017
(646) 837-5151
mshuster@hsndl.com
dordway@hsndl.com
bkaminsky@hsndl.com

*Attorneys for Defendants Visa Inc., Visa U.S.A.
Inc., and Visa International Service Association*

SO ORDERED:

Dated:

Brooklyn, New York

United States District Judge